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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

10 VINCENT A. GAMBOA,

11 Petitioner,

12 v.

13 UNITED STATES OF AMERICA,

14 Respondent.
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CASE NO. C13-6097 RJB

CR93-2090RJB

ORDER TRANSFERRING CASE

16 This matter comes before the court on review of the file.

17 On December 30, 2013, petitioner Vincent A. Gamboa filed a pleading, captioned "In Re:
18 Equal Protection, Justice, Mercy and Freedom and the All Writs Act." Dkt. 1. Petitioner
19 contends that he was convicted by a racially discriminatory sentencing crack cocaine law, in
20 violation of the Fifth Amendment to the U.S. Constitution. He requests that the court correct the
21 obvious racial discrimination.

22 This is a second or successive petition. A fair reading of the petition is that petitioner is
23 requesting that the court vacate, set aside or correct his sentence, pursuant to 28 U.S.C. § 2255.
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1 This case should be transferred to the Ninth Circuit U.S. Court of Appeals as a second or
2 successive petition.

3 Accordingly, this case is **TRANSFERRED** to the Ninth Circuit U.S. Court of Appeals as
4 a second or successive petition.

5 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
6 to any party appearing *pro se* at said party's last known address.

7 Dated this 8th day of January, 2014.

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10 ROBERT J. BRYAN
11 United States District Judge
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